

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

DANIEL SEAN COOPER,

Plaintiff,

Case No. 3:20-cv-386

vs.

WARDEN, ORIENT CORRECTIONAL  
INSTITUTION,

District Judge Michael J. Newman  
Magistrate Judge Michael R. Merz

Defendant.

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**ORDER AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (DOC. 2); (2) DISMISSING THIS CASE WITHOUT PREJUDICE; (3) FINDING THE ISSUE REGARDING THE FILING FEE IS MOOT; AND (4) TERMINATING THIS CASE ON THE COURT'S DOCKET**

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The Court has reviewed the Report and Recommendation of Magistrate Judge Michael R. Merz (doc. 2), to whom this case was referred pursuant to 28 U.S.C. § 636(b). The parties have not filed objections to the Report and Recommendation and the time for doing so under Fed. R. Civ. P. 72(b) has expired. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge (doc. 2) in its entirety; (2) **DISMISSES** this case without prejudice; (3) finds the issue regarding the filing fee is **MOOT**; and (4) **TERMINATES** this case on the Court's docket.

**IT IS SO ORDERED.**

Date: November 18, 2020

s/Michael J. Newman  
Michael J. Newman  
United States District Judge